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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/758,388	01/14/2004	Weston D. Robinson	WER001/141817	5444

7590 10/05/2004
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EXAMINER

CHUNG TRANS, XUONG MY

ART UNIT	PAPER NUMBER
2833	

DATE MAILED: 10/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/758,388

Applicant(s)

ROBINSON ET AL.

Examiner

Xuong M. Chung-Trans

Art Unit

2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2833

1. This application has been examined. Claims 1-14 are pending in this application.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robinson (USPN 3,988,051) in view of Morrison (4,889,021) and/or Mills (USPN 5,197,359).

Robinson discloses the invention substantially as claimed, comprising: at least one phase conductor (38); a ground conductor (being coupled to said at least one phase conductor; a gripping and locking clamp device being coupled with each of said plurality of phase conductors (38) and said ground conductor (grounding rod) and having a fixed jaw (14) and handle assembly (12) and a moveable jaw (20) being pivotally connected with said fixed jaw and a locking handle assembly (30) and being pivotally moveable between an unlocking position permitting opening movement of said moveable jaw relative to said fixed jaw and a locking position securing said moveable jaw at a clamping position. Robinson does not explicitly disclose moveable locking components each defining lock openings that become positioned in registry when said locking handle is located at said locking position; and a lock device being inserted through said registered lock openings and preventing unlocking movement of said locking handle. Both Morrison and Mills, however, discloses such moveable locking

Art Unit: 2833

components each defining lock openings (Morrison, figs. 1-4, elements 18,24; and Mills, figs. 1-3, elements 48,52)) and a lock device (Morrison, 11; and Mills P). Therefore, it would have been obvious to one skilled artisan in the art at the time the invention was made to include the teaching of Morrison and Mills in the Robinson invention in order to prevent release of the locking clamp from its clamped state.

As per claims 2-7, both Morrison and Mills disclose in figs. 1-4, said lock device being the U-shaped locking element of a pad-lock, said lock device being an elongate member extending through said aligned lock openings and being locked against unauthorized removal, said relatively moveable locking components being said locking handle (Morrison, 19) and a locking link (22,36) of the locking clamp device; said locking link of the locking clamp device being a toggle link pivotally connected with said locking handle; and an adjustment device (14,15) being mounted to said fixed jaw and handle assembly and having adjustment engagement with said toggle link and being moveable relative to said fixed jaw and handle assembly for adjusting the position of said moveable jaw at the locked position of said locking handle; said lock device being the locking element of a lock having a lock body and being capable locking and unlocking conditions with respect to said lock body.

As per claims 8-14, these claims differ from claims 1-7 in that they recite a plurality of locking clamp devices coupled to the plurality of phase conductors and ground conductor. It would have been obvious to one of ordinary skill in the art at the time the invention was made that more than one clamping devices can be provided to

Art Unit: 2833

couple to each of plurality of phase conductors and ground conductor in order to allow easily and securely grounding the phases of the electrical equipment as needed.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Xuong M. Chung-Trans whose telephone number is (571) 272-2002. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Bradley can be reached on (571) 272-2800 extension 33.. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


X. Chung-Trans


HIEN VU
PRIMARY EXAMINER